

Remarks to Amendment A

The Rejection of Claims on 35 USC §112 is Overcome

The claims have been rewritten to include the subject matter to which the patent is applied.

According, the applicant submits, that the claim does comply with 35 USC §112 and therefore requests withdrawal of this objection.

The Rejection of Claims on 35 USC §101 is Overcome

A paper, as published by the ISA, is submitted to be made part of the record. This paper discloses two currently operating uses for this utility.

According, the applicant submits, that the utility does comply with 35 USC §101 and therefore requests withdrawal of this objection.

The Rejection of Claim 1 on Rae and Gruji is Overcome

The claim 1 has been cancelled. The Claim 3 defines patentability over these references. Applicant requests reconsideration of this rejection for the following reasons:

- (1) There is no justification in these references or other prior art that suggests that these references be combined and said combination goes against traditional control system engineering (Rae's controller operates on a non-linear system; Gruji discussion focuses on a linear system – see Detailed Action Responses above).
- (2) The claim 3 focuses on a controller calculation function that includes an nth-order exponential operation and to eliminate:
 - a) The dependence on the error calculation function.
 - b) The dependence on the function for "shutting down the operation of the heat producing means 23 should the actual temperature of the cooking oil 25 exceed a certain high temperature limit".
- (3) The novel features of claim 3 produce a controller that reduces the resources necessary to move a process (measured) parameter to setpoint over these references and any other prior art separate from the applicant disclosure.

Conclusion

For all of the above reasons, applicant submits that the specification and claims are now in proper form and that the claims all define patentability over the prior art. Therefore they submit that this application is now in condition for allowance, which action they respectfully solicit.

Conditional Request for Constructive Assistance

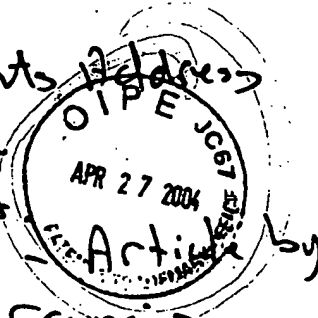
Applicants have amended the specification and claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason, this application is not believed to be in full condition for allowance, the applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E. §2173.02 and § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without further need for proceedings.

Very Respectfully:

Robert H. Francis PE

The following was received
today:

Change of Applicants Address
Detailed Action
Amendment A
Attachment 2 - Article by



Robert H Francis
All relating to Application

09/771,799